

***City of Burien***

**BURIEN PLANNING COMMISSION  
REGULAR MEETING  
November 9, 2010  
7:00 p.m.  
Multipurpose Room/Council Chambers  
MINUTES**

*To hear the Planning Commission's full discussion of a specific topic or the complete meeting, the following resources are available:*

- Watch the video-stream available on the City website, [www.burienwa.gov](http://www.burienwa.gov)
- Check out a DVD of the Council Meeting from the Burien Library
- Order a DVD of the meeting from the City Clerk, (206) 241-4647

**CALL TO ORDER**

Chair Jim Clingan called the November 9, 2010, meeting of the Burien Planning Commission to order at 7 p.m.

**ROLL CALL**

Present: Jim Clingan, chair; Greg Duff, Joe Fitzgibbon, Ray Helms, Rachel Pizarro, John Upthegrove

Absent: Nancy Tosta

Administrative staff present: Chip Davis, planner; Stephanie Jewett, planner, and Scott Greenberg, Community Development Department director

**AGENDA CONFIRMATION**

**Direction/Action**

**Motion** was made by Commissioner Duff, seconded by Commissioner Upthegrove, and passed unanimously to approve the agenda for the November 9, 2010, meeting.

**PUBLIC COMMENT**

Sandy Gledhill-Young, 1936 SW 168<sup>th</sup> St.

Ms. Gledhill-Young asked that a planning commissioner direct staff to change the designation of the Lake Burien area on the Comprehensive Plan map from moderate density to low density.

Donna Smith, 1201 SW 152<sup>nd</sup> St.

Ms. Smith told the commissioners that as representatives of the citizens they should have the Comprehensive Plan map changed to show the Lake Burien area as low density.

Debi Wagner, 1520 SW 158<sup>th</sup> St.

Ms. Wagner said that because the Lake Burien area is designated as "suburban" on a map referred to as the LU-2 map, it should be designated low density.

Robert Howell, 15240 20<sup>th</sup> Ave SW

Mr. Howell indicated that after asking a wetland scientist for the environmentally sensible way to draw the boundaries of the Lake Burien neighborhood, the residents are asking that the Planning Commission retain the boundaries as submitted in the Comprehensive Plan amendment application.

Robbie Howell, 15240 20<sup>th</sup> Ave SW

Ms. Howell said the City is ignoring the will of the Lake Burien residents by designating the Lake Burien area as moderate density, adding that it is disrespectful of the residents' property rights.

Tanya Engeset, 1449 SW 152<sup>nd</sup> St.

Ms. Engeset said the lake's toxic algae bloom is caused by stormwater draining into the lake. She said clean water in the lake is a public health and safety issue as well as an individual and property rights issue.

Mary Oemcke, 1603 SW 152<sup>nd</sup> St.

Ms. Oemcke asked the commission to direct staff to prepare a Planning Commission recommendation report stating there is an inconsistency between the Comprehensive Plan text and map that can be remedied by changing the land use designation to low density and rezoning the affected properties accordingly. She also said any properties that would become nonconforming in impervious surface coverage should be grandfathered in as conforming.

Chestine Edgar, 1811 SW 152<sup>nd</sup> St.

Ms. Edgar said any properties that would become nonconforming as a result of the rezone should be grandfathered in. She added that property rights are not part of the criteria and should not be considered in making this decision.

Don Warren, 15702 13<sup>th</sup> Ave SW

Mr. Warren said the majority of the Lake Burien property owners want the low-density designation. He wants to be sure the commission's decision is based on facts.

Bob Edgar, 12674 Shorewood Dr SW

Mr. Edgar said the commissioners should not consider the rights of hypothetical future property owners or developers over the rights of the current property owners. He said the Planning Commission must listen to the request of the current owners to protect their property rights by designating the area low-density residential.

Kathi Skarbo, 1621 SW 152<sup>nd</sup> St.

Ms. Skarbo questioned staff's definition of "significant amount" of critical areas. She said she believes "significant amount" means anything worth protecting. She said staff's position on the proposed Comprehensive Plan amendment is hypocritical when it comes to critical areas.

Linda Plein, 1600 SW 156<sup>th</sup> St.

Ms. Plein said she feels the Lake Burien area is being held to a standard that no other applicant has ever been required to meet. She said the Planning Commission is to deal with requests in the present, not looking into the future.

Greg Anderson, 15451 11<sup>th</sup> Ave SW

Mr. Anderson said he is in favor of the protecting the lake, citing the buffers and setbacks in the newly adopted Shoreline Master Program and a new drainage ordinance. He said city records show the existing zoning has been in place at least 29 years.

## **APPROVAL OF MINUTES**

**MOTION** by Commissioner Helms to approve the minutes of October 12 and 26; second by Commissioner Duff. Motion carried 5-0.

## **PUBLIC HEARING**

Chair Clingan opened the hearing on the El Dorado West Retirement Community rezone request at 7:47 p.m.

Dave Baus, representative of the owner of El Dorado West Retirement Community, explained why a rezone is being requested. He said significant accessibility upgrades are needed. The requested rezone

would allow the building to be rebuilt in two phases and be fully accessible to its residents with disabilities.

There being no further testimony, Chair Clingan closed the hearing at 7:50 p.m.

## **OLD BUSINESS**

### **El Dorado West Retirement Community Rezone Request**

Planner Stephanie Jewett asked the commissioner a series of questions to determine if any of them have a vested interest in the property. Commissioner Pizarro noted that her mother is a resident in the assisted living portion at El Dorado West and that she has had ex-parte communication with the director of the facility. There were no challenges to Commissioner Pizarro's ability to be fair and impartial.

**MOTION** by Commissioner Pizarro to recommend to the City Council approval of the El Dorado West rezone request reference number PLA 10-0780 and adopt the findings and conclusions of the staff recommendation as presented; second by Commissioner Helms. Motion carried 5-0.

### **2010 Proposed Comprehensive Plan Amendments, Discussion and Possible Recommendation**

E-mailed comments from Commissioner Tosta, who was unable to attend the meeting, were distributed to the commissioners.

#### **Follow-up**

Staff will prepare a Planning Commission recommendation for approval of the proposed Comprehensive Plan amendment based on the applicants' information and Commissioner Tosta's e-mailed comments for consideration by the commissioners their next meeting. The commissioners agreed to meet on Nov. 16<sup>th</sup>; no public comment will be taken at the meeting.

## **NEW BUSINESS**

Commissioner Helms expressed concern about the amount of paper used in preparing packets, some of which is repeated from previous packets.

#### **Follow-up**

Staff will look into clarifying for the commissioners what is new in their packet and what is included because they need to have it in front of them.

## **PLANNING COMMISSION COMMUNICATIONS**

None.

## **DIRECTOR'S REPORT**

Mr. Greenberg encouraged the commissioners to take a look at their copies of *Planning Commissioners Journal*.

## **ADJOURNMENT**

### **Direction/Action**

**MOTION** to adjourn was made by Commissioner Duff. Meeting adjourned at 8:46 p.m.

**APPROVED:** February 8, 2011

/s/ Jim Clingan, chair  
Planning Commission